

REMARKS

In the Advisory Action of February 19, 2008, the Examiner indicates that Applicants' were arguing the term "consisting essentially of" with respect to the flame retardant, whereas the proposed amendment would amend the claims to "consisting of", and that the proposed amendment would therefore not be entered.

The Examiner's attention is respectfully drawn to the first full paragraph on page 10 of the previous response, wherein Applicants' argued that:

Now, in a determined effort to advance the prosecution of this case, Applicants have amended their claim to the transition phrase "consisting of". This phrase excludes the presence of any flame retardant other than ammonium polyphosphate.

Support for this can be found in Applicants' examples, where ammonium polyphosphate is the only flame retardant included.

Applicants' arguments are clearly based on the limitation of "consisting of".

Furthermore, the recitation in Claim 1 of "a flame retardant component consisting of ammonium polyphosphate" would exclude any other flame retardant from the composition, notwithstanding the presence of the transitional term "comprising" at the beginning of the claim.

Upon entry of the present amendment, claim 1 would read as follows:

- Claim 1. Flame-retardant pressure-sensitive adhesive comprising
- (a) at least one acrylate adhesive component,
 - (b) a flame retardant component consisting of ammonium polyphosphate, and
 - (c) at least one tackifying resin component.

This claim would be read by those skilled in the art to indicate that claim is open-ended with respect to further components other than flame retardants, but closed as to any further flame retardant. More specifically, notwithstanding the presence of the term "comprising" with respect to the components a, b and c; the limitation of the claim to a flame retardant component consisting of ammonium polyphosphate would exclude any other flame retardants.

However, should the Examiner prefer, Applicants would be willing to add a further limitation such as "...wherein said flame retardant component (c) is the only flame retardant present."

The amendment should therefore be entered, and the claims allowed.

Favorable action is respectfully solicited.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, Appellants request that this be considered a petition therefor. Please charge the required petition fee to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fee or credit any excess to Deposit Account

No. 14-1263.

Respectfully submitted,
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